



Reprinted
April 12, 2001

ENGROSSED SENATE BILL No. 31

DIGEST OF SB 31 (Updated April 11, 2001 12:50 PM - DI 96)

Citations Affected: IC 8-23; IC 9-21; noncode.

Synopsis: Statewide mobility corridor property. Changes the name of commerce corridors to statewide mobility corridors. Provides that if the Indiana department of transportation does not acquire or commence condemnation proceedings to acquire real property, rights, or easements adjacent to a statewide mobility corridor within ten years after filing a description of the property in the county recorder's office (instead of three years provided for other property not adjacent to a commerce corridor), the department loses the right to receive notice of improvements, subdivisions, or changes on the property that the department acquired when it filed the description of the property. Requires the department of transportation to establish a pilot project for the development of a corridor preservation program along U.S. Highway 31. Requires the removal of 5 stop lights at intersections on
(Continued next page)

Effective: Upon passage; July 1, 2001.

**Zakas, Riegsecker, Broden, Alexa,
Adams K, Kenley, Weatherwax**

(HOUSE SPONSORS — COOK, MOCK)

January 8, 2001, read first time and referred to Committee on Rules and Legislative Procedure.

January 30, 2001, amended; reassigned to Committee on Transportation and Interstate Cooperation.

February 20, 2001, amended, reported favorably — Do Pass.

February 26, 2001, read second time, ordered engrossed. Engrossed.

February 27, 2001, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 12, 2001, read first time and referred to Committee on Commerce, Economic Development and Technology.

March 26, 2001, reassigned to Committee on Ways and Means.

April 5, 2001, amended, reported — Do Pass.

April 11, 2001, read second time, amended, ordered engrossed.

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ES 31—LS 6224/DI 13+



Digest Continued

U.S. Highway 31 between Interstate Highway 465 and the city limits of South Bend, to be removed at the 5 intersections with the lowest traffic counts. Requires the removal of 4 stop lights at specific intersections on U.S. Highway 31 in Miami County. Requires the Indiana department of transportation to forfeit \$500,000 for each violation of these required removals. Establishes the U.S. Highway 31 upgrade fund. Requires the Indiana department of transportation to transfer any forfeited money to the U.S. Highway 31 upgrade fund. Requires the department to make the transfer within 30 days of the violation. Sets forth the criteria for determining whether a traffic signal should be installed on U.S. Highway 31 between Interstate Highway 465 and the city limits of South Bend.

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ES 31—LS 6224/DI 13+



Reprinted
April 12, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

ENGROSSED SENATE BILL No. 31

A BILL FOR AN ACT to amend the Indiana Code concerning
utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-23-7-9 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2001]: Sec. 9. **Except as provided in section**
3 **9.5 of this chapter**, if the department has not acquired or commenced
4 condemnation proceedings to acquire the real property, rights, or
5 easements described in section 4 of this chapter within three (3) years
6 after filing the description with the county recorder, the department
7 loses the right to receive notice of improvements, subdivisions, or
8 changes on the property that the department acquired by filing a
9 description under section 4 of this chapter.
- 10 SECTION 2. IC 8-23-7-9.5 IS ADDED TO THE INDIANA CODE
11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 2001]: Sec. 9.5. (a) **This section applies only to real property**
13 **adjacent to a statewide mobility corridor designated under**
14 **IC 8-23-8-1.3.**
- 15 (b) **If the department does not acquire or commence**
16 **condemnation proceedings to acquire the real property, rights, or**
17 **easements described in section 4 of this chapter within ten (10)**

ES 31—LS 6224/DI 13+



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years after filing the description with the county recorder, the department loses the right to receive notice of improvements, subdivisions, or changes on the property that the department acquired by filing a description under section 4 of this chapter.

SECTION 3. IC 8-23-8-1.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1.3. (a) The department shall do the following:

(1) Determine ~~commerce~~ **statewide mobility** corridors within Indiana.

(2) Determine the level of service of each ~~commerce~~ **statewide mobility** corridor.

(3) Establish procedures for maintaining the level of service in a ~~commerce~~ **statewide mobility** corridor.

(4) Adopt an improvement plan for each ~~commerce~~ **statewide mobility** corridor that does not meet its prescribed level of service.

(b) The department may determine the feasibility of using recycled materials in the improvement of ~~commerce~~ **statewide mobility** corridors.

(c) Determinations under this section shall be in conformance with any similar highway designation made by the federal highway administration.

SECTION 4. IC 9-21-3-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1.5. (a) **This section applies only to U.S. Highway 31 from the point where U.S. Highway 31 intersects with Interstate Highway 465 in Hamilton County to the point where U.S. Highway 31 enters the city limits of a city having a population of more than ninety thousand (90,000) but less than one hundred ten thousand (110,000).**

(b) Notwithstanding paragraph 4C-2 of the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways, a traffic control signal should not be installed on the highway described in subsection (a) unless at least two (2) of the three (3) warrants set forth in subsection (c) are met.

(c) An investigation of the need for a traffic control signal on the highway described in subsection (a) should include at least an analysis of the factors contained in the following warrants:

(1) Warrant 1 (minimum vehicular volume).

(2) Warrant 2 (interruption of continuous traffic).

(3) Warrant 3 (minimum pedestrian volume).

(d) Warrant 1 is intended for application where the volume of



the intersecting traffic is the principal reason for consideration of signal installation. The warrant is satisfied when, for each of any eight (8) hours of an average day, the traffic volumes set forth in the following table exist on the major street and on the higher-volume minor street approach to the intersection:

Number of lanes for moving traffic on each approach (total of both approaches)		Vehicles per hour on major street	Vehicles per hour on higher-volume minor street approach (one direction only)
Major Street	Minor Street		
1	1	1,000 (700)	300 (210)
2 or more	1	1,200 (840)	300 (210)
2 or more	2 or more	1,200 (840)	400 (280)
1	2 or more	1,000 (700)	400 (280)

Additionally, if traffic is moving more than forty (40) miles per hour, the amount expressed in parentheses in this table must be used.

(e) Warrant 2 applies to operating conditions where the traffic volume on a major street is so heavy that traffic on a minor, intersecting street suffers excessive delay in entering or crossing the major street. The warrant is satisfied when, for each of any eight (8) hours of an average day, the traffic volumes set forth in the following table exist on the major street and on the higher-volume minor street approach to the intersection and the signal installation will not seriously disrupt progressive traffic flow:

Number of lanes for moving traffic on each approach (total of both approaches)		Vehicles per hour on major street	Vehicles per hour on higher-volume minor street approach (one direction only)
Major Street	Minor Street		
1	1	1,500 (1,050)	150 (106)
2 or more	1	1,800 (1,260)	150 (106)
2 or more	2 or more	1,800 (1,260)	200 (140)
1	2 or more	1,500 (1,050)	200 (140)

Additionally, if traffic is moving more than forty (40) miles per hour, the amount expressed in parentheses in this table must be used.



(f) Warrant 3 is satisfied when, for each of any eight (8) hours of an average day, both of the following traffic volumes exist:

(1) At least one thousand two hundred (1,200) vehicles enter the intersection from all directions per hour.

(2) At least three hundred (300) pedestrians enter the intersection per hour.

(g) As used in this section, "average day" means a day representing traffic volumes normally and repeatedly found at a location.

SECTION 5. IC 9-21-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Each traffic signal installation on a street or highway within Indiana may be erected only after the completion of traffic engineering studies that verify that the traffic signal control is necessary as set forth in:

(1) the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways; or

(2) section 1.5 of this chapter with respect to a highway described in section 1.5 of this chapter.

(b) If:

(1) the proposed installation is in the immediate vicinity of a school; and

(2) the installation does not meet the requirements of this section; the governmental unit responsible for the control of traffic at the location shall grant a special hearing on the question to a person who has properly petitioned for the installation of a traffic signal.

SECTION 6. IC 9-21-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Except as provided in subsection (b), a public or private agency may not erect a traffic control device on a state maintained highway without the written permission of the Indiana department of transportation.

(b) This subsection applies to the installation of traffic signals on a state highway in a city or town. **Except as provided in section 12 and 13 of this chapter**, the Indiana department of transportation shall:

(1) install any signal that meets the standards, specifications, and warrants set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways; or

(2) grant written permission to a city or town to erect the signal if it is not possible for the state immediately to install the signal.

SECTION 7. IC 9-21-3-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 12. (a) This section applies only to U.S. Highway 31 from the point where U.S. Highway 31 intersects with Interstate**



Highway 465 in Hamilton County to the point where U.S. Highway 31 enters the city limits of a city having a population of more than ninety thousand (90,000) but less than one hundred ten thousand (110,000).

(b) The Indiana department of transportation shall remove five (5) stoplights from the highway described in subsection (a) in the safest manner possible. The stoplights removed under this section must be located at the five (5) intersections that have the five (5) lowest traffic counts for the street or road intersecting the highway described in subsection (a). The department shall identify the intersections where the stoplights must be removed by using the most recent traffic study for each intersection that is available to the department. However, the department may not use a traffic study conducted before January 1, 1995. These stoplights must be removed not later than July 1, 2002. The department may employ either of the following alternatives at an intersection at which the department removes a traffic control device under this section:

(1) Barricading the intersecting road or street to prevent the egress or ingress to U.S. Highway 31.

(2) Installing flashing lights at the intersection.

(c) The Indiana department of transportation may not install a stoplight or stop sign on U.S. Highway 31 after June 30, 2001. If there is a compelling need to facilitate the crossing of U.S. Highway 31, the department shall construct an overpass or underpass at the particular intersection instead of installing a stoplight or stop sign.

(d) For each violation of this section, the Indiana department of transportation forfeits five hundred thousand dollars (\$500,000). The department shall transfer the money forfeited under this section to the U.S. Highway 31 upgrade fund established under subsection (e).

(e) There is established the U.S. Highway 31 upgrade fund for the purpose of converting U.S. Highway 31 to a limited access highway. The fund consists of money transferred to the fund under this section. The fund shall be administered by the budget agency. Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) The Indiana department of transportation shall transfer money forfeited under this section within thirty (30) days after the violation.

SECTION 8. IC 9-21-3-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13 (a) This section applies only to U.S.



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1 Highway 31 in a county having a population of more than thirty-six
 2 thousand seven hundred (36,700) but less than thirty-seven
 3 thousand (37,000).

4 (b) The Indiana department of transportation shall remove four
 5 (4) stop lights from the highway described in subsection (a) in the
 6 safest manner possible. The stop lights must be removed at the
 7 intersections of U.S. Highway 31 and the following highways:

8 (1) CR 100 N.

9 (2) Business U.S. Highway 31.

10 (3) Indiana Highway 218W.

11 (4) Indiana Highway 18.

12 (c) These stop lights must be removed within the time set forth
 13 in subsection (e). The department may employ either of the
 14 following alternatives at an intersection at which the department
 15 removes a signal control device under this section:

16 (1) Barricading the intersecting road or street to prevent the
 17 egress or ingress to U.S. Highway 31.

18 (2) Installing flashing lights at the intersection.

19 (d) The Indiana department of transportation may not install a
 20 stoplight or stop sign on U.S. Highway 31 in a county having a
 21 population of more than thirty-six thousand seven hundred
 22 (36,700) but less than thirty-seven thousand (37,000) after June 30,
 23 2001. If there is a compelling need to facilitate the crossing of U.S.
 24 Highway 31, the department shall construct an overpass or
 25 underpass at the particular intersection instead of installing a
 26 stoplight or stop sign.

27 (e) The Indiana department of transportation shall remove the
 28 stop lights set forth in subsection (b) before July 1, 2002.

29 (f) For each violation of this section, the Indiana department of
 30 transportation shall forfeit five hundred thousand dollars
 31 (\$500,000). The department shall transfer the money forfeited
 32 under this subsection to the U.S. Highway 31 upgrade fund
 33 established under IC 9-21-3-12 (e).

34 (g) The Indiana department of transportation shall transfer
 35 money forfeited under this section by July 31, 2001.

36 SECTION 9. [EFFECTIVE JULY 1, 2001] (a) The Indiana
 37 department of transportation shall designate U.S. Highway 31
 38 from Interstate Highway 465 in Hamilton County to the U.S.
 39 Highway 20 bypass in St. Joseph County as a pilot project for the
 40 development of a corridor preservation program.

41 (b) The pilot project must determine the most effective means
 42 by which the Indiana department of transportation can fulfill the



1 requirements of IC 8-23-8-1.3, as amended by this act.

2 (c) The Indiana department of transportation shall give priority
3 consideration to the implementation of the results of the pilot
4 project on U.S. Highway 31 from Interstate Highway 465 in
5 Hamilton County to the U.S. Highway 20 bypass in St. Joseph
6 County and other statewide mobility corridors designated under
7 IC 8-23-8-1.3, as amended by this act.

8 (d) This SECTION expires January 1, 2004.

9 SECTION 10. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 31, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following: Page 1, line 1, delete "IC 8 is amended concerning utilities and" and insert "IC 8-23-7-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. **Except as provided in section 9.5 of this chapter**, if the department has not acquired or commenced condemnation proceedings to acquire the real property, rights, or easements described in section 4 of this chapter within three (3) years after filing the description with the county recorder, the department loses the right to receive notice of improvements, subdivisions, or changes on the property that the department acquired by filing a description under section 4 of this chapter.

SECTION 2. IC 8-23-7-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2001]: **Sec. 9.5. (a) This section applies only to real property adjacent to a commerce corridor designated under IC 8-23-8-1.3.**

(b) If the department does not acquire or commence condemnation proceedings to acquire the real property, rights, or easements described in section 4 of this chapter within ten (10) years after filing the description with the county recorder, the department loses the right to receive notice of improvements, subdivisions, or changes on the property that the department acquired by filing a description under section 4 of this chapter."

Page 1, delete line 2.

(Reference is to SB 31 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Transportation and Interstate Cooperation.

(Reference is to SB 31 as introduced.)

GARTON, Chairperson

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SENATE MOTION

Mr. President: I move that Senator Riegsecker be added as second author and Senator Broden be added as coauthor of Senate Bill 31.

ZAKAS

SENATE MOTION

Mr. President: I move that Senators Alexa and Adams K be added as coauthors of Senate Bill 31.

ZAKAS

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COMMITTEE REPORT

Mr. President: The Senate Committee on Transportation and Interstate Cooperation, to which was referred Senate Bill No. 31, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 13, delete "commerce" and insert "**statewide mobility**".

Page 2, after line 3, begin a new paragraph and insert:

"SECTION 3. IC 8-23-8-1.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1.3. (a) The department shall do the following:

- (1) Determine ~~commerce~~ **statewide mobility** corridors within Indiana.
- (2) Determine the level of service of each ~~commerce~~ **statewide mobility** corridor.
- (3) Establish procedures for maintaining the level of service in a ~~commerce~~ **statewide mobility** corridor.
- (4) Adopt an improvement plan for each ~~commerce~~ **statewide mobility** corridor that does not meet its prescribed level of service.

(b) The department may determine the feasibility of using recycled materials in the improvement of ~~commerce~~ **statewide mobility** corridors.

(c) Determinations under this section shall be in conformance with any similar highway designation made by the federal highway administration.

SECTION 4. [EFFECTIVE JULY 1, 2001] (a) **The department of transportation shall designate U.S. Highway 31 from Interstate Highway 465 in Hamilton County to the U.S. Highway 20 bypass in St. Joseph's County as a pilot project for the development of a corridor preservation program.**

(b) **The pilot project must determine the most effective means by which the department of transportation can fulfill the requirements of IC 8-23-8-1.3.**

(c) **The department of transportation shall give priority consideration to the implementation of the results of the pilot project on U.S. Highway 31 from Interstate Highway 465 in Hamilton County to the U.S. Highway 20 bypass in St. Joseph's County and other statewide mobility corridors designated under IC 8-23-8-1.3.**

(d) **This SECTION expires January 1, 2004."**



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Renumber all SECTIONS consecutively.
and when so amended that said bill do pass.

(Reference is to SB 31 as printed January 31, 2001.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 7, Nays 0.

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SENATE MOTION

Mr. President: I move that Senators Kenley and Weatherwax be added as coauthors of Engrossed Senate Bill 31.

ZAKAS

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 31, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 4. IC 9-21-3-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 1.5. (a) This section applies only to U.S. Highway 31 from the point where U.S. Highway 31 intersects with Interstate Highway 465 in Hamilton County to the point where U.S. Highway 31 enters the city limits of a city having a population of more than ninety thousand (90,000) but less than one hundred ten thousand (110,000).**

(b) Notwithstanding paragraph 4C-2 of the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways, a traffic control signal should not be installed on the highway described in subsection (a) unless at least two (2) of the three (3) warrants set forth in subsection (c) are met.

(c) An investigation of the need for a traffic control signal on the highway described in subsection (a) should include at least an analysis of the factors contained in the following warrants:

- (1) Warrant 1 (minimum vehicular volume).**
- (2) Warrant 2 (interruption of continuous traffic).**
- (3) Warrant 3 (minimum pedestrian volume).**

(d) Warrant 1 is intended for application where the volume of the intersecting traffic is the principal reason for consideration of signal installation. The warrant is satisfied when, for each of any eight (8) hours of an average day, the traffic volumes set forth in the following table exist on the major street and on the higher-volume minor street approach to the intersection:

Number of lanes for moving traffic on each approach (total of both approaches)		Vehicles per hour on major street	Vehicles per hour on higher-volume minor street approach (one direction only)
Major Street	Minor Street		
1	1	1,000 (700)	300 (210)
2 or more	1	1,200 (840)	300 (210)
2 or more	2 or more	1,200 (840)	400 (280)
1	2 or more	1,000 (700)	400 (280)

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Additionally, if traffic is moving more than forty (40) miles per hour, the amount expressed in parentheses in this table must be used.

(e) Warrant 2 applies to operating conditions where the traffic volume on a major street is so heavy that traffic on a minor, intersecting street suffers excessive delay in entering or crossing the major street. The warrant is satisfied when, for each of any eight (8) hours of an average day, the traffic volumes set forth in the following table exist on the major street and on the higher-volume minor street approach to the intersection and the signal installation will not seriously disrupt progressive traffic flow:

Number of lanes for moving traffic on each approach (total of both approaches)		Vehicles per hour on major street	Vehicles per hour on higher-volume minor street approach (one direction only)
Major Street	Minor Street		
1	1	1,500 (1,050)	150 (106)
2 or more	1	1,800 (1,260)	150 (106)
2 or more	2 or more	1,800 (1,260)	200 (140)
1	2 or more	1,500 (1,050)	200 (140)

Additionally, if traffic is moving more than forty (40) miles per hour, the amount expressed in parentheses in this table must be used.

(f) Warrant 3 is satisfied when, for each of any eight (8) hours of an average day, both of the following traffic volumes exist:

- (1) At least one thousand two hundred (1,200) vehicles enter the intersection from all directions per hour.
- (2) At least three hundred (300) pedestrians enter the intersection per hour.

(g) As used in this section, "average day" means a day representing traffic volumes normally and repeatedly found at a location.

SECTION 5. IC 9-21-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Each traffic signal installation on a street or highway within Indiana may be erected only after the completion of traffic engineering studies that verify that the traffic signal control is necessary as set forth in:

- (1) the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways; or



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(2) section 1.5 of this chapter with respect to a highway described in section 1.5 of this chapter.

(b) If:

(1) the proposed installation is in the immediate vicinity of a school; and

(2) the installation does not meet the requirements of this section; the governmental unit responsible for the control of traffic at the location shall grant a special hearing on the question to a person who has properly petitioned for the installation of a traffic signal.

SECTION 6. IC 9-21-3-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 12. (a) This section applies only to U.S. Highway 31 from the point where U.S. Highway 31 intersects with Interstate Highway 465 in Hamilton County to the point where U.S. Highway 31 enters the city limits of a city having a population of more than ninety thousand (90,000) but less than one hundred ten thousand (110,000).

(b) The Indiana department of transportation shall remove five (5) stoplights from the highway described in subsection (a) in the safest manner possible. These stoplights must be removed not later than July 1, 2002. The department may employ either of the following alternatives at an intersection at which the department removes a traffic control device under this section:

(1) Barricading the intersecting road or street to prevent the egress or ingress to U.S. Highway 31.

(2) Installing flashing lights at the intersection.

(c) The Indiana department of transportation may not install a stoplight or stop sign on U.S. Highway 31 after June 30, 2001. If there is a compelling need to facilitate the crossing of U.S. Highway 31, the department shall construct an overpass or underpass at the particular intersection instead of installing a stoplight or stop sign.

(d) For each violation of this section, the Indiana department of transportation forfeits five hundred thousand dollars (\$500,000). The department shall transfer the money forfeited under this section to the U.S. Highway 31 upgrade fund established under subsection (e).

(e) There is established the U.S. Highway 31 upgrade fund for the purpose of converting U.S. Highway 31 to a limited access highway. The fund consists of money transferred to the fund under this section. The fund shall be administered by the budget agency. Money in the fund at the end of a state fiscal year does not revert to the state general fund.



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(f) The Indiana department of transportation shall transfer money forfeited under this section within thirty (30) days after the violation."

Page 2, line 23, after "The" insert "**Indiana**".

Page 2, line 26, delete "Joseph's" and insert "**Joseph**".

Page 2, line 29, after "which the" insert "**Indiana**".

Page 2, line 30, after "IC 8-23-8-1.3" insert ", as amended by this act".

Page 2, line 31, after "The" insert "**Indiana**".

Page 2, line 34, delete "Joseph's" and insert "**Joseph**".

Page 2, line 36, after "IC 8-23-8-1.3" insert ", as amended by this act".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 31 as printed February 21, 2001.)

BAUER, Chair

Committee Vote: yeas 23, nays 2.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 31 be amended to read as follows:

Page 4, between lines 25 and 26, begin a new paragraph and insert:
 "SECTION 6. IC 9-21-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Except as provided in subsection (b), a public or private agency may not erect a traffic control device on a state maintained highway without the written permission of the Indiana department of transportation.

(b) This subsection applies to the installation of traffic signals on a state highway in a city or town. **Except as provided in section 12 and 13 of this chapter**, the Indiana department of transportation shall:

- (1) install any signal that meets the standards, specifications, and warrants set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways; or
- (2) grant written permission to a city or town to erect the signal if it is not possible for the state immediately to install the signal."

Page 5, between lines 19 and 20, begin a new paragraph and insert:
 "SECTION 8. IC 9-21-3-13 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13 (a) This section applies only to U.S. Highway 31 in a county having a population of more than thirty-six thousand seven hundred (36,700) but less than thirty-seven thousand (37,000).**

(b) The Indiana department of transportation shall remove four (4) stop lights from the highway described in subsection (a) in the safest manner possible. The stop lights must be removed at the intersections of U.S. Highway 31 and the following highways:

- (1) CR 100 N.
- (2) Business U.S. Highway 31.
- (3) Indiana Highway 218W.
- (4) Indiana Highway 18.

(c) These stop lights must be removed within the time set forth in subsection (e). The department may employ either of the following alternatives at an intersection at which the department removes a signal control device under this section:

- (1) Barricading the intersecting road or street to prevent the egress or ingress to U.S. Highway 31.
- (2) Installing flashing lights at the intersection.

(d) The Indiana department of transportation may not install a stoplight or stop sign on U.S. Highway 31 in a county having a population of more than thirty-six thousand seven hundred



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(36,700) but less than thirty-seven thousand (37,000) after June 30, 2001. If there is a compelling need to facilitate the crossing of U.S. Highway 31, the department shall construct an overpass or underpass at the particular intersection instead of installing a stoplight or stop sign.

(e) The Indiana department of transportation shall remove the stop lights set forth in subsection (b) before July 1, 2002.

(f) For each violation of this section, the Indiana department of transportation shall forfeit five hundred thousand dollars (\$500,000). The department shall transfer the money forfeited under this subsection to the U.S. Highway 31 upgrade fund established under IC 9-21-3-12 (e).

(g) The Indiana department of transportation shall transfer money forfeited under this section by July 31, 2001."

Page 5, after line 34, begin a new paragraph and insert:
"SECTION 10. An emergency is declared for this act."

(Reference is to SB 31 as printed April 6, 2001.)

COOK

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 31 be amended to read as follows:

Page 4, line 36, after "possible." insert "**The stoplights removed under this section must be located at the five (5) intersections that have the five (5) lowest traffic counts for the street or road intersecting the highway described in subsection (a). The department shall identify the intersections where the stoplights must be removed by using the most recent traffic study for each intersection that is available to the department. However, the department may not use a traffic study conducted before January 1, 1995.**"

(Reference is to ESB 31 as printed April 6, 2001.)

BAUER



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